



L I P M A N K A R A S

## Tim Kentish Principal

Direct Telephone: +852 3761 3912

Email: [tkentish@lipmankaras.com](mailto:tkentish@lipmankaras.com)

Personal Assistant: Ann Leung

Email: [aleung@lipmankaras.com](mailto:aleung@lipmankaras.com)

### Professional Experience

Tim is a principal of the firm based in our Hong Kong office.

Tim has extensive experience acting in a broad range of commercial and insolvency related disputes. He has particular experience in the investigation and pursuit of claims arising out of corporate collapses against professional advisers, directors and third party recipients of company property.

Tim brings to his work a hands on approach. He is intimately involved in all stages of the litigation process, from initial fact-finding and investigation to the final presentation of the case in Court. Tim works closely with clients to ensure that the legal strategy for resolving a dispute advances the client's corporate goals.

### Key Projects

#### Akai Holdings Limited

In Hong Kong, Tim has worked closely with the liquidators of Akai, Borrelli Walsh on the substantial litigation arising out of the company's collapse. Tim has been an integral member of the legal team in respect of:

- **Akai v Ernst & Young.** The proceedings claimed damages of in excess of US\$800 million and were one of the largest and most complex proceedings pursued in Hong Kong. The trial commenced in September 2009 and was scheduled to run for 6 months, but settled on favourable terms for the liquidators at the end of the first week.
- **Akai v Kasikornbank.** These proceedings sought to recover the value of security taken by TFB prior to Akai's collapse. This case involved a 5 week trial at first instance which found in favour of the bank. Akai successfully appealed to the Court of Appeal and was awarded a judgment of US\$35 million.
- **Akai v Ho and The Grande Holdings Ltd.** These proceedings involved claims against Mr Christopher Ho and The Grande Holdings Limited seeking to recover the US\$500 million of assets stripped from Akai before its winding up. These proceedings were settled on favourable terms before a trial date was fixed.
- **Ting v Borrelli.** Mr Ting brought proceedings against the Liquidators to seek to restrain proceedings against him (seeking recovery of in excess of US\$50 million) on the basis of a settlement agreement. The settlement agreement was set aside at first instance, however this result was overturned on appeal. A further appeal to the Privy Council is pending.

#### Australian Agricultural Company

In Australia, Tim was a key member of the legal team representing Australian Agricultural Company in proceedings against AMP arising out of the tender process conducted by AMP in respect of the sale of the Stanbroke Pastoral Company. These proceedings settled at trial on excellent terms with A\$10 million paid to Australian Agricultural Company.

#### Basketball Association of South Australia

Tim acted for the State Government and insolvency professionals on the restructuring of the Basketball Association of South Australia. The matter involved the sale of the Association's assets (including professional men's and women's teams, and a multi-million dollar stadium) and orderly winding up of the Association's activities.



## Key Projects (continued)

### **Catto v Hampton Australia Ltd**

Tim was a key member of the team acting for Hampton (a subsidiary of Normandy Mining) defending a claim by a former minority shareholder. The claim alleged oppressive conduct of the affairs of Hampton in its being wound up. The matter raised complex issues of corporations law, in particular in relation to oppression of minorities and fraud on powers. Hampton's defence of the action was successful and resulted in an order for indemnity costs.

### **Lleyton Hewitt v ATP Tour Inc**

Tim had principal conduct of a claim by Mr Hewitt against the governing body for men's professional tennis, the ATP, arising out of disciplinary action brought against Mr Hewitt by the ATP. The claim raised complex jurisdictional issues involving contract and defamation. It also raised corporate issues regarding the scope of releases contained in the articles of a company.

## Qualifications and Background

Tim graduated from the University of Adelaide in 2000 with First Class Honours, and commenced practice with a leading Adelaide firm in that year, being admitted as a solicitor in 2001. Tim joined Lipman Karas in March 2005.

Honours Degree of Bachelor of Laws (2000)

Bachelor of Commerce (1998)

Admitted to the Supreme Court of South Australia

Admitted to the High Court and Federal Court of Australia

Admitted to the High Court of Hong Kong

Registered Foreign Lawyer in Hong Kong